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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/767,007

01/30/2004

Masamitsu Furue

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EXAMINER

SANTIAGO, MARICELI

ART UNIT

PAPER NUMBER

2879

MAIL DATE

DELIVERY MODE

02/21/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/767,007

Applicant(s)

FURUIE ET AL.

Examiner

Mariceli Santiago

Art Unit

2879

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Amendment

Receipt of the Amendment, filed on March 23, 2004, is acknowledged.

Claims 1-6 are pending in the instant application.

Substitute Specification has been approved for entry.

Drawings

Figures 6 and 7 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitations "the organic light emitting elements", in line 2, "the transparent substrate" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Fujieda et al. (US 2002/0084747).

Regarding claim 1, Fujieda discloses an organic light emitting display device (Fig. 12) in which a plurality of pixel portions (shown in Fig. 10) which are constituted of organic light emitting elements which are arranged in a matrix array (shown in Fig. 10) on a transparent substrate (10) and pixel drive circuits which have active elements (TFT elements) for driving the organic light emitting elements are formed in a matrix array, wherein an organic light emitting element includes a light emitting region formed of a multilayered structural film which is constituted of a lower transparent electrode (11b) formed at the transparent substrate side, an organic light emitting layer (12b), and an upper reflection electrode (13b) formed above the organic light emitting layer, the organic light emitting element being configured to emit light of the organic light emitting layer from the lower transparent electrode side through the transparent substrate, the multilayered structural film has concavities (section between projecting portions 29b) which are recessed at the transparent substrate side in the inside of the pixel portion and projecting portions (29b) which project at a side opposite to the transparent substrate, and a

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transparent organic insulation layer is arranged in the concavities of the projecting portions ([0105], acrylic resin).

Regarding claim 2, Fujieda discloses an organic light emitting display device wherein the shape of the concavities is such that the concavities have open peripheries at the transparent substrate side and have a cross section along a surface perpendicular to the transparent substrate which has a bowl¹ shape.

Regarding claim 3, Fujieda discloses an organic light emitting display device wherein the shape of the concavities is formed such that the concavities have oblique surfaces which are gradually enlarged and opened toward the transparent substrate side from peripheries of a flat center portion, thus forming a cross section along a surface perpendicular to the transparent substrate which has a trapezoidal shape (Fig. 12).

Regarding claim 4, Fujieda discloses an organic light emitting display device wherein transparent-substrate-side end peripheries of the concavities are formed such that the end peripheries do not extend beyond end peripheries of the light emitting region of the pixel portion (Fig. 12, i.e., the concavities between protruding sections 29b are located within the light emission region).

Regarding claim 5, Fujieda discloses an organic light emitting display device wherein a plurality of projecting portions having the concavities are arranged in parallel within a pixel portion (Fig. 12).

Regarding claim 6, Fujieda discloses an organic light emitting display device wherein the active element is a thin film transistor having a low-temperature polycrystalline silicon channel ([0098]).

¹ having a concave shape with an open top like a bowl

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariceli Santiago whose telephone number is (571) 272-2464. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Mariceli Santiago/

Primary Examiner, Art Unit 2879